

**COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT
APPLICATION**

AS A BELOW-NAMED INVENTOR, WE HEREBY DECLARE THAT:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: INHIBITORS OF PROTEASOMAL ACTIVITY FOR STIMULATING BONE AND HAIR GROWTH, the specification of which is attached hereto unless the following box is checked:

☒ was filed on October 23, 2000 as United States Application Serial No. 09/695,807.

WE HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

| Application No. | Country | Date of Filing (day/month/year) | Priority Claimed? |
|-----------------|---------|------------------------------------|--|
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| Application Serial No. | Filing Date |
|------------------------|-------------|
| | |

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to

patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| Application Serial No. | Filing Date | Status |
|------------------------|---------------|--|
| 09/421,545 | Oct. 20, 1999 | <input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned |
| 09/361,775 | July 27, 1999 | <input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned |
| 09/113,947 | July 10, 1998 | <input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned |

We hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

| | |
|---|---------------------------------------|
| Laurie A. Axford (Reg No. 35,053) | Sanjay S. Bagade (Reg No. 42,280) |
| Joseph Barrera (Reg No. 44,522) | Erwin J. Basinski (Reg No. 34,773) |
| Shantanu Basu (Reg No. 43,318) | Richard R. Batt (Reg No. 43,485) |
| Frank P. Becking (Reg No. 42,309) | Vincent J. Belusko (Reg No. 30,820) |
| Jonathan Bockman (Reg No. 45,640) | Kimberly A. Bolin (Reg No. 44,546) |
| Barry E. Bretschneider (Reg No. 28,055) | Tyler S. Brown (Reg No. 36,465) |
| Nicholas Buffinger (Reg No. 39,124) | A. Randall Camacho (Reg No. 46,595) |
| Mark R. Carter (Reg No. 39,131) | Robert K. Cerpa (Reg No. 39,933) |
| Peng Chen (Reg No. 43,543) | Thomas Chuang (Reg No. P-44,616) |
| Thomas E. Ciotti (Reg No. 21,013) | Cara M. Coburn (Reg No. 46,631) |
| Matthew M. D'Amore (Reg No. 42,457) | Raj S. Davé (Reg No. 42,465) |
| Peter Davis (Reg No. 36,119) | Stephen C. Durant (Reg No. 31,506) |
| Carolyn A. Favorito (Reg No. 39,183) | David L. Fehrman (Reg No. 28,600) |
| Hector Gallegos (Reg No. 40,614) | Debra J. Glaister (Reg No. 33,888) |
| Kenneth R. Glick (Reg No. 28,612) | Johney U. Han (Reg No. 45,565) |
| Douglas G. Hodder (Reg No. 41,840) | Charles D. Holland (Reg No. 35,196) |
| Peter Hsieh (Reg No. P-44,780) | Wayne Jaeschke, Jr. (Reg No. 38,503) |
| Madeline I. Johnston (Reg No. 36,174) | Richard D. Jordan (Reg No. 33,519) |
| Parisa Jorjani (Reg No. 46,813) | Ararat Kapouytian (Reg No. 40,044) |
| Richard C. Kim (Reg No. 40,046) | Cameron A. King (Reg No. 41,897) |
| Kawai Lau (Reg No. 44,461) | Rimas T. Lukas (Reg No. 46,451) |
| Lisa E. Marks (Reg No. 44,901) | Michael J. Mauriel (Reg No. 44,226) |
| Gladys H. Monroy (Reg No. 32,430) | Philip A. Morin (Reg No. P-45,926) |
| Kate H. Murashige (Reg No. 29,959) | Martin M. Noonan (Reg No. 44,264) |
| Irene T. Pleasure (Reg No. 45,506) | Catherine M. Polizzi (Reg No. 40,130) |
| Paul J. Riley (Reg No. 38,596) | Robert Saltzberg (Reg No. 36,910) |
| Debra A. Shetka (Reg No. 33,309) | Terri Shieh-Newton (Reg No. 47,081) |
| Rebecca Shortle (Reg No. 47,083) | Kevin R. Spivak (Reg No. 43,148) |
| Stanley H. Thompson (Reg No. 45,160) | Michael R. Ward (Reg No. 38,651) |
| E. Thomas Wheelock (Reg No. 28,825) | Todd W. Wight (Reg No. 45,218) |
| Thomas G. Wiseman (Reg No. 35,046) | Frank Wu (Reg No. 41,386) |
| David T. Yang (Reg No. 44,415) | Peter J. Yim (Reg No. 44,417) |
| George C. Yu (Reg No. 44,418) | Karen R. Zachow (Reg No. 46,332) |

and:

Please direct all communications to:

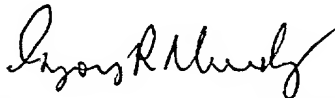
Peng Chen
Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332

Please direct all telephone calls to Peng Chen at (858) 720-5117.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-21-01

Date



Name: Gregory R. Mundy
Residence: San Antonio, Texas 78230
Citizenship: United States
Post Office Address: 3719 Morgan's Creek, San Antonio, TX 78230

1-18-2001

Date



Name: Ross I. Garrett
Residence: San Antonio, Texas 70023
Citizenship: Australia
Post Office Address: 16729 Windjammer, San Antonio, TX 78023

1-18-2001

Date



Name: G. Rossini
Residence: San Antonio, Texas 78238
Citizenship: Chile
Post Office Address: 5827 NW Loop 410, #1224, San Antonio, TX 78238

ASSIGNMENT JOINT

THIS ASSIGNMENT, by Gregory R. Mundy, Ross I. Garrett and G. Rossini (hereinafter referred to as the assignors), residing at San Antonio, Texas 78230; San Antonio, Texas 78023, and San Antonio, Texas 78238, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in INHIBITORS OF PROTEASOMAL ACTIVITY FOR STIMULATING BONE AND HAIR GROWTH, set forth in an application for Letters Patent of the United States, having an oath or declaration executed on even date herewith; bearing Serial No. 09/695,807 and filed on October 23, 2000; and

WHEREAS, OsteoScreen, Inc., a corporation duly organized under and pursuant to the laws of Texas and having its principal place of business at 2040 Babcock Road, Suite 201, San Antonio, Texas 78229 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee OsteoScreen, Inc., its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

1-22-01
Date Gregory R. Mundy

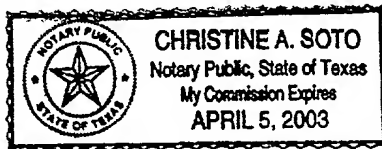
1-22-01
Date Ross I. Garrett

1-22-01
Date G. Rossini

STATE OF TEXAS
COUNTY OF BEXAR

Subscribed to before me on this 22nd day of January 2001.

Christine A. Soto
Christine A. Soto
Notary Public



Applicant/Patentee: OsteoScreen, Inc.

Docket No.: 432722002623

Serial No./Patent No.: 09/695,807

Filed on/Issued : October 23, 2000

For: INHIBITORS OF PROTEASOMAL ACTIVITY FOR STIMULATING BONE AND HAIR GROWTH

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
37 C.F.R. §§ 1.9(f) AND 1.27(c) — SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: OsteoScreen, Inc.

ADDRESS OF CONCERN: 2040 Babcock Road, Suite 201, San Antonio, TX 78229

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled INHIBITORS OF PROTEASOMAL ACTIVITY FOR STIMULATING BONE AND HAIR GROWTH by inventor(s) Gregory R. Mundy, I. Ross Garrett and G. Rossini, described in

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
☐ each such person, concern or organization is listed below.

| NAME | ADDRESS | TYPE |
|------|---------|---|
| | | <input type="checkbox"/> Individual <input type="checkbox"/> Small Business Concern <input type="checkbox"/> Nonprofit Organization |

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

I acknowledge the duty to file, in this application or patent, notification or any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Gregory R. Mundy
TITLE OF PERSON IF OTHER THAN OWNER: President
ADDRESS OF PERSON SIGNING: OsteoScreen, Inc. 2040 Babcock Road, Suite 201
San Antonio, TX 78229

SIGNATURE: _____

DATE: _____

12/15/00

Exhibit B